

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KELLY MINNELLA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:23 CV 1251 CDP
)	
MARTIN O'MALLEY,)	
Commissioner of Social Security, ¹)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is on appeal from an adverse ruling of the Social Security Administration. Presently pending before the Court is defendant's Motion to Reverse and Remand.

Defendant answered plaintiff's Complaint on January 25, 2024. In his Motion to Reverse and Remand, defendant requests that the matter be remanded for further consideration of plaintiff's claims. Specifically, defendant avers that, upon remand, the Social Security Administration will take additional action to complete the record, offer plaintiff the opportunity for a hearing, reevaluate the evidence of record, reassess plaintiff's residual functional capacity, obtain

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Fed. R. Civ. P. 25(d), he is automatically substituted for former Acting Commissioner Kilolo Kijakazi as the defendant in this action.

supplemental vocational expert evidence, and issue a new decision. The defendant requests that the matter be remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration of plaintiff's claims. Plaintiff has not responded to defendant's motion and the time to do so has passed.


My review of the motion shows it to be well taken.

Accordingly,

IT IS HEREBY ORDERED that defendant's Motion to Reverse and Remand [13] is **GRANTED**.

IT IS FURTHER ORDERED that the decision of the Commissioner is **REVERSED**, and this matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration of plaintiff's claims.

A separate Judgment is entered herewith.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 13th day of February, 2024.